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COMMITTEE MEETING
STATE OF CALIFORNIA
INTEGRATED WASTE MANAGEMENT BOARD
SPECIAL WASTE COMMITTEE

JOE SERNA, JR., CALEPA BUILDING
1001 I STREET
2ND FLOOR
SIERRA HEARING ROOM
SACRAMENTO, CALIFORNIA

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PETERS SHORTHAND REPORTING CORPORATION (916) 362-2345

APPEARANCES

COMMITTEE MEMBERS

Ms. Cheryl Peace, Chair

Ms. Rosalie Mul

BOARD MEMBER ALSO PRESENT

Mr. Gary Petersen

STAFF

Mr. Mark Leary, Executive Director

Ms. Julie Nauman, Chief Deputy Director

Ms. Marie Carter, Chief Counsel

Mr. Boxing Cheng, Staff

Mr. Mitch Delmage, Manager, Waste Tire Management

Ms. Eronia Hunt, Executive Assistant

Mr. Jim Lee, Deputy Director

Ms. Georgianne Turner, Supervisor, Enforcement &
Permitting Section

ALSO PRESENT

Mr. Michael Blumenthal, Rubber Manufacturers Association

Ms. Cedar Kehoe, City of Elk Grove

Mr. Terry Leveille, TL & Associates

Dr. Mathew Newman, Sacramento State University

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1 PROCEEDINGS

2 CHAIRPERSON PEACE: Good morning and welcome to
3 the Special Waste Committee of November. I believe we all
4 are here. Chair Marin will not be joining us today. So
5 let's get going.

6 Eronia, would you like to call the roll, please?

7 SECRETARY HUNT: Board Member Mulé?

8 COMMITTEE MEMBER MULÉ: Here.

9 SECRETARY HUNT: Chair Peace?

10 CHAIRPERSON PEACE: Here.

11 And let the record also show that new Board
12 Member Gary Petersen is also here in attendance. Welcome
13 to the Special Waste Committee. Thank you for being here.

14 BOARD MEMBER PETERSEN: Thanks for having me.

15 CHAIRPERSON PEACE: At this time I would like to
16 remind everyone to put their cell phones and pagers on the
17 vibrate mode or silent mode. There are agendas on the
18 back table. If anybody would like to speak, please give a
19 speaker slip to Eronia if you would like to speak.

20 Are there any ex partes?

21 COMMITTEE MEMBER MULÉ: Thank you, Madam Chair.

22 I just said good morning -- I just want to put it
23 for the record -- Michael Blumenthal and Terry Leveille.

24 CHAIRPERSON PEACE: And same goes to me. I said
25 good morning to those two gentlemen also.

1 I guess we can move right into the Deputy
2 Director's Report.

3 DEPUTY DIRECTOR LEE: Thank you, Madam Chair.
4 And good morning, Committee members. My name is Jim Lee,
5 Deputy Director of the Special Waste Division. I have a
6 couple items in my Deputy Director's Report this morning.

7 As you know, at the direction of the Board and
8 the Grant Executive Oversight Committee, we are holding
9 stakeholder meetings and doing internal evaluations with
10 the idea of providing recommendations to the Board on
11 simplifying or streamlining the grant application and
12 administration process. To this end, we have held
13 meetings in conjunction with our bimonthly household
14 hazardous waste meetings. We've also held a monthly tire
15 interested parties meeting. Indeed, grant streamlining
16 will be a topic of discussion at our upcoming tire
17 interested parties meeting scheduled for November 18th
18 here in Sacramento.

19 As we are making clear in our announcements for
20 this meeting, including this one, we are soliciting input
21 on all grants and not just Tire Program grants. We will
22 be holding additional discussions on this matter on our
23 next series of household hazardous exchange meetings on
24 November 30th in Riverside County and in early December in
25 San Francisco.

1 On another item, you may recall the discussions
2 during the Five-Year Plan review and approval process back
3 in May. The Board directed us to kind of work more
4 closely with the RCC Committee. To that end, I'm pleased
5 to report that we are -- one of our program staffers,
6 Calvin Young, has been appointed as Chair of the Ground
7 Rubber Committee of the RCC. Calvin will serve in this
8 leadership role working to provide a nationwide
9 coordinated approach to waste tire management.

10 With that, Madam Chair, unless there are any
11 questions or comments, I'm prepared to move into this
12 morning's agenda.

13 CHAIRPERSON PEACE: I believe we have one speaker
14 who would like to speak, make a public comment before we
15 get started. Cedar Kehoe.

16 MS. KEHOE: Hello, and thank you. My name is
17 Cedar Kehoe. I'm the Integrated Waste Program Manager
18 with the City of Elk Grove. Elk Grove is located south of
19 Sacramento, and it incorporated in July of 2000.

20 The City of Elk Grove does not have a permanent
21 household hazardous waste facility. The City did submit a
22 complete application to the Board for the household
23 hazardous waste 14th cycle in the 2005-2006 year. The
24 application was for planning through the final design of a
25 permanent facility. The City purchased the land in 2004.

1 Unfortunately, our application was unsuccessful.

2 At the July 13th meeting of the Special Waste
3 Committee, I spoke requesting to know why we were
4 unsuccessful and we were not awarded any grant dollars. I
5 was told during the scoring and the application process
6 the decisions related to scoring looked at the amount of
7 waste that would actually be diverted as a result of the
8 grant dollars spent on that particular application. As
9 our application was for design costs predominantly, we
10 didn't score high enough to win any dollars.

11 Following that meeting, I then requested a
12 written analysis regarding why the city of Elk Grove was
13 unsuccessful in their 14th grant application request. No
14 written analysis of why Elk Grove was unsuccessful exists,
15 and the Board is not required to create one.

16 That led me to then agree to host the Northern
17 California Household Hazardous Waste Information Exchange
18 Meeting. That was in September on the 28th. The purpose
19 of this group is to give household hazardous waste
20 professionals the ability to communicate and share ideas.
21 I then decided to put on the agenda for that meeting an
22 exercise that would discuss issues related to how the
23 stakeholders viewed the way the Waste Board was managing
24 the Household Hazardous Waste Grant dollars. We broke
25 into -- we had 60 people approximately. We broke into

1 eight working groups and discussed various topics ranging
2 from the allocation of grant dollars to simplifying the
3 grant application itself. The exchange was very fruitful.
4 And if anything, I was told the exercise wasn't long
5 enough. We needed more time, because everybody really did
6 care.

7 When I summarized the meeting notes, I presented
8 it to the Waste staff that were in attendance that day.
9 What I learned from that day was that -- I actually
10 learned the day before the meeting that the Waste Board
11 has now instructed their staff to ask stakeholders how
12 they feel about how the granted system is working. Thus,
13 this exercise proved to be very timely.

14 Following the group exercise, I then sent out
15 common themes. It was ten simple questions, yes/no answer
16 based on what I thought was the predominant groups'
17 viewpoints. I just want to talk about six very clear
18 directions that I believe we have.

19 The first very clear direction, 100 percent of
20 the stakeholders viewed that planning and design costs
21 should be decoupled from construction costs in the
22 building of a facility. Planning and design costs should
23 not occur during the same cycle as the construction.
24 This, of course, is the reason that we didn't get funded.
25 We believe that it is not reasonable to combine planning

1 and construction into a single cycle. Additionally, many
2 of the stakeholders, including myself, didn't even realize
3 that was a part of the grant system. So there's very
4 clear direction to you to decouple those two different
5 systems. Two different issues.

6 The second very clear, 100 percent of the
7 stakeholders viewed that one single resolution should be
8 established for the city and counties that could last a
9 number of years. So we don't have to do a new resolution
10 every time a grant goes forward. In the recent letter
11 that was sent out by Julie Nauman to all the grant
12 stakeholders, in this letter she indicates the concept of
13 the master resolution concept. I'm very pleased to see
14 that we're on the same page, working together. You have
15 clear direction from the group of the solid waste
16 hazardous waste group from Northern California, because
17 they all say 100 percent, great idea. We're on the same
18 page.

19 The third one that we felt very strongly about,
20 there was a very strong response that the application
21 should be more fill in the box, less narrative, that the
22 amount of redundant questions that is currently on the
23 application -- this particularly applies to the Household
24 Hazardous Waste Grant. You ask the same question numerous
25 times. It's a part of your scoring system. That's how it

1 got established. We're asking it be shorter and it be
2 easier to fill out. 100 percent agreement that that's the
3 direction we would like you to take. And, again, that was
4 in Julie's letter. So once again we are on track. I was
5 pleased with that.

6 The fourth area of direction, additionally,
7 stakeholders want to see that the Household Hazardous
8 Waste Grant and the criteria used to award them doesn't
9 change from year to year. What we want is to understand
10 what the grant involves. We want the ability to have
11 input into the change process. And then once that grant
12 is changed, we'd like it to stay that way for like three
13 to five years. In short, these changes often occur at the
14 Board, and everybody tries to stay up to date on it. But
15 with all our many responsibilities, it's really hard to do
16 that. I'm a perfect case in point. I would not have
17 spent a month writing this grant if I had known
18 construction had to be a part of it. I have other things
19 to do. It's a really good example.

20 COMMITTEE MEMBER MULÉ: Was that 100 percent?

21 MS. KEHOE: Ninety percent.

22 The fifth area or the fifth question, finally, we
23 would ask as well to have the uniform view of the Waste
24 Management Board's concept in a two-paper approximately
25 review and pre-approval concept design. So basically for

1 household hazardous waste grants, which are more
2 complicated, there be this two-page pre-review, then you
3 basically review that concept. If you approve the
4 concept, we then move forward with the full grant
5 application. And that would have again helped in my case.
6 But lots of people, the predominant people, all wanted to
7 see something along those lines.

8 And then, finally, the last area where there was
9 strong uniform viewpoint, and that related to your
10 recycling content procurement policy. The group felt it
11 should be removed from the Household Hazardous Waste Grant
12 application as part of the scoring criteria, because there
13 is no direct nexus to the proper management of household
14 hazardous waste.

15 I will give all of these responses that I
16 received to the staff. I'm very pleased to know on
17 November 30th at the Southern Household Hazardous Waste
18 Information Exchange there will be a similar exercise
19 asking for more detailed stakeholder input.

20 I also want to point out there's another meeting
21 scheduled November 18th. I unfortunately can't be at this
22 meeting, which is why I came today. Because I want you to
23 hear, but I can't go to that meeting.

24 I support the efforts of the Waste Board. And I
25 know having put this much effort into this topic, people

1 really do care about this issue. It's just that we're all
2 really busy. So unfortunately because of our busy
3 schedules, you might not get as much input or response as
4 you think you need. And we really do care. We've got to
5 figure out a way to get that input to you. And I think
6 you've taken great strides recently to make that happen.
7 And I want to commend those efforts.

8 But, first, I really want to point out in summary
9 I did this, because I believe very strongly and I really
10 believe this, that the Waste Board sets the direction for
11 my industry. You have to remain the most effective and
12 efficient state agency that we have. And I'm really proud
13 to know that you are. And I want to keep you on that
14 track. Thanks.

15 CHAIRPERSON PEACE: Thank you so much for your
16 comments and for being here. And I think the Board, we
17 are all committed to streamlining all of our grant
18 processes. We've directed staff throughout all the
19 programs to streamline the grant process and make it
20 easier, get input from our stakeholders, and to find out
21 how it can be easier for them and for us. Thank you for
22 your input.

23 And, Jim, did you want to make a comment?

24 DEPUTY DIRECTOR LEE: Yes, if I may, madam Chair.
25 I want to thank Ms. Kehoe for her input. I think as she

1 noted during her presentation, staff is already giving
2 strong consideration to several of the ideas she's put
3 forth. Again, we're still evaluating all the details.

4 But I think in concept we agree with the idea of
5 grants streamlining, simplification. Again as Cedar
6 pointed out, the grant solicitation, we did the
7 stakeholders, expounds on those concepts.

8 You know, we're going to be evaluating all of
9 this input that we received at these stakeholder
10 workshops. And we'll be coming back to the Board probably
11 in January with our report on our findings and
12 recommendations.

13 CHAIRPERSON PEACE: Great. We're ready to move
14 on.

15 DEPUTY DIRECTOR LEE: Thank you, Madam Chair.

16 Committee Item B, Board Item 3 is Consideration
17 of the Scope of Work and Agreement to Conduct a Waste Tire
18 Generation and Diversion Data Study, Tire Recycling
19 Management Fund, Fiscal Year 2005-06.

20 This item is to implement Board direction as
21 received during the Five-Year Tire Plan review and
22 approval process. The idea behind this item is that the
23 percentage of tire diversion recycling in the state is one
24 of the most important metrics in evaluation of the
25 effectiveness of the Board's tire management efforts. To

1 ensure that we are using the best available methodology
2 and statistics for making these determinations, we want to
3 engage the assistance of a third-party contractor to
4 evaluate the current evaluation process.

5 With that overview, I will ask Boxing Cheng and
6 Mitch Delmage to make the remainder of the staff
7 presentation.

8 (Thereupon an overhead presentation was
9 presented as follows.)

10 MR. CHENG: Good morning, Committee Chair and
11 Board members. This is Boxing Cheng. I'm here to present
12 this item, Consideration of Scope of Work and Agreement to
13 Conduct a Waste Tire Generation and Diversion Data Study.

14 --o0o--

15 --o0o--

16 MR. CHENG: The objective of this study is
17 develop accurate method to estimate annual California
18 waste tire generation, diversion, and disposal data;
19 provide a solid waste base for stakeholders and the Board
20 to identify the trends, plan future programs, and to
21 adjust existing programs.

22 --o0o--

23 MR. CHENG: This is annual report. We tried to
24 get all these data from different sources. You can take a
25 look like start from 1990 to year 2003. The total

1 generation for '90 was like 27 million. The diversion
2 rate was like only 34 percent. And now we have about over
3 70 percent. For all these datas, I need to explain a
4 little bit.

5 --o0o--

6 MR. CHENG: For the generation factor for the
7 nationwide, for the whole nation, use like one tire per
8 person per year. But for California, we did several step
9 here. From 1990 to year 2000, we used 0.915 tires per
10 person per year. This was based upon like industry survey
11 conducted in 1991 and 1992.

12 But these data like after we compare these data
13 for several years later, we find out come to reflect the
14 exact situation. So we made a change, a movement from
15 2001 to 2002. We tried to make a step from 0.915 to one.
16 So we use like 0.958 PTE, per person, per year. That was
17 just between. And in year 2003, we made another changes.
18 Actually, it's based on the more accurate. Just like
19 industry surveys, we tried to figure out some
20 discrepancies from different sources.

21 --o0o--

22 MR. CHENG: See, like one is from generation
23 factor. Another we go to industry surveys. And we also
24 compared it with the data from the Board of Equalization.
25 But this number is mainly for the new tire, new Tire

1 Board. They reported it to the Board.

2 And also we start having manifest system. The
3 manifest system because reporting all the numbers was in
4 like different waste. You can either be like tons or
5 number of tires or volumes. So sometimes the stakeholder,
6 they did not put like seriously. So we can't get to the
7 real exact number from manifest system. And also we get
8 some number from the DMV.

9 All these data like we compare to the annual
10 report is like try to best of our knowledge to know how
11 many waste tires generated and diverted and disposed.

12 --o0o--

13 MR. CHENG: Here I'll have Dr. Newman from
14 California State University of Sac State. He will present
15 a brief presentation.

16 MR. NEWMAN: Good morning. Thank you for the
17 chance to present to you this morning.

18 So as you've just seen, there's some uncertainty
19 associated with exactly how many waste tires are generated
20 and diverted and disposed each year. And I have a
21 presentation which is coming up now.

22 --o0o--

23 MR. NEWMAN: So I'm Mathew Newman. And together
24 with my colleagues at Sac State, we're proposing to try to
25 assist all of you in coming to a better understanding of

1 exactly how many tires are generated and diverted and
2 disposed each year.

3 --o0o--

4 MR. NEWMAN: As you know, the waste tires are a
5 significant environmental challenge, and we generate over
6 30 million tires a year here in California. But we don't
7 know exactly how many. And in order for you to all to do
8 your work, I think it's very important to get a better
9 idea of exactly what the scope of this problem is. And it
10 will also provide a way to measure your success going
11 forward since you'll then know what the size of the issue
12 is.

13 --o0o--

14 MR. NEWMAN: In order to estimate the number of
15 waste tires generated in California each year, what we're
16 proposing to do is to look at the methodologies used by
17 other states and by the EPA so we can sort of learn the
18 state-of-the-art out there in the country. And if there's
19 a method that can help us do a better job here in
20 California, then we'll incorporate that into our
21 recommendations.

22 We'll analyze the available data, and you've seen
23 some of the available data sources. The accuracy of that
24 data is not always exactly what we need. Or sometimes the
25 data is accurate, but it's presented in a way which is not

1 useful. For example, the number of tires doesn't tell you
2 as much as you'd like to learn. You really want to know
3 how many those tires are. If you have a big truck tire
4 and a little car tire, those might be counted the same.
5 But what you need to know is how much do those tires
6 weigh. So some changes to the way the data is collected
7 and evaluated might be appropriate. And we'll look at the
8 available data sources.

9 And then we'll develop a methodology for
10 estimating the number of tires generated, diverted, and
11 disposed each year with a model that we'll put together.

12 --o0o--

13 MR. NEWMAN: To do this, we'll, as I said, talk
14 with other states and look at what the EPA does. We'll
15 learn from experts in the field, including staff here at
16 the Waste Management Board and stakeholder and other
17 researchers who have looked at this problem so we can get
18 the best available knowledge out there.

19 --o0o--

20 MR. NEWMAN: We'll look at data sources including
21 the manifest system, vehicle registration data from the
22 DMV, the data the Board of Equalizations collects, and
23 other surveys and studies conducted by this organization
24 and others.

25 --o0o--

1 MR. NEWMAN: Next, basically we have six steps in
2 our methodology.

3 The first one is to determine the quantity of new
4 tires purchased each year. What we're trying to do is
5 triangulate on the right number. We know more or less the
6 number of new tires purchased each year, because of the
7 data from the Board of Equalization, although we don't
8 know precisely the composition of those tires.

9 But we need to estimate the number of tires
10 coming into the state. People drive their cars here when
11 they move here. So those tires ultimately end up in the
12 waste stream. So we need to estimate through demographic
13 data from the Department of Finance and vehicle
14 registration from the DMV how many new tires are coming
15 here on vehicles that people bring with them.

16 Then we want to estimate the number of tires that
17 might be imported for recycling, for fuel, or other
18 purposes. And then we should have a good handle on the
19 total number of tires that we're dealing with.

20 And then what we need to do is estimate the
21 composition of those tires. How many of them are big
22 truck tires. How many are small car tires, and so on.
23 And we can do that based on DMV registration data and
24 industry data about the kinds of tires they're selling.
25 We need to know how long those tires last, because we'll

1 know from when the tires are sold from the BOE. But we
2 need to know when they become a waste tire. So we can get
3 the different life expectancies of those tires from
4 industry data and other sources.

5 And, finally, we'll build a statistical model
6 that will tell us from all these inputs how many tires are
7 going to be generated each year as a result.

8 --o0o--

9 MR. NEWMAN: And what we'll have when we're all
10 done is a model that's updatable by the staff here. And
11 what that means is that as new data becomes available next
12 year, you don't have to work with us again. You can just
13 plug in the new BOE data or new DMV data and you can
14 output yourselves a number that will tell you how many
15 tires are generated each year in California.

16 We'll present our results in a final report.
17 And, of course, I'm happy to come and present to you or
18 the whole Board and meet with staff at the end and along
19 the way as necessary.

20 --o0o--

21 MR. NEWMAN: And in order to make sure that we
22 stay on track, we will plan to update the staff at least
23 every three months as well as on the completion of each of
24 the major steps of the project so that as issues come up,
25 as your needs may change, we can stay in close contact

1 with you and make sure that the final product that we
2 produce is directly suited to your needs.

3 --o0o--

4 MR. NEWMAN: Here's a time line of how we propose
5 to complete the work. Assuming you all would like to go
6 ahead, we plan to start early next year and finish before
7 the end of the calendar year in December.

8 And, of course, I'm happy to answer any questions
9 you may have.

10 BOARD MEMBER PETERSEN: Madam Chair, may I ask a
11 question? Thank you.

12 Hi, Boxing. Question for the doctor.

13 Are you going to take into consideration the
14 amount of tires exported out of here like to Mexico? Are
15 you going to take a look at that and see what's going on
16 there, too?

17 MR. NEWMAN: Absolutely. What we're going to try
18 to do is come at this from two angles. The first is
19 figure out how many tires are coming into the state. And
20 then we're going to figure out what happens to those tires
21 when they get here, how many are ending up being exported.
22 How many are ending up in landfills. How many are burned
23 for fuel or end up recycled in other ways. So then we'll
24 know both the number we're currently accounting for in
25 terms of how they're diverted or disposed of or exported

1 and also the number that are coming into the state. And
2 we'll see sort of what's left over, if any, as far as
3 tires that are unaccounted for.

4 BOARD MEMBER PETERSEN: You'll do an evaluation
5 or survey of what's being done in the state with the
6 different tire processes, the cement kilns, all the stuff
7 for the tire recyclers. Will that be part of your scope
8 of work?

9 MR. NEWMAN: We certainly plan to meet with all
10 of the relevant stakeholders to find out what kind of data
11 they're collecting. And what ultimately what we'd like to
12 suggest, if it is warranted, is perhaps some changes to
13 the way that the data is currently collected so that more
14 accurate information is presented. Obviously, that means
15 the stakeholders need to be able to provide that data. So
16 we'll want to talk with them to make sure they're willing
17 and able to provide data in a format that's usable for all
18 of you.

19 BOARD MEMBER PETERSEN: This is a great idea, by
20 the way.

21 WASTE TIRE DIVISION SUPERVISOR DELMAGE: Board
22 Member Petersen, first of all, welcome. My name is Mitch
23 Delmage. I'm the Manager of the Waste Tire Program.

24 I did want to more specifically respond to your
25 question. We also will be doing a tire flow study at the

1 border. We're working with Cal/EPA. So we're going to
2 get a pretty good handle on what's going on south of the
3 border.

4 BOARD MEMBER PETERSEN: Great.

5 CHAIRPERSON PEACE: We did have a couple
6 speakers. Mr. Leveille.

7 MR. CHENG: Should I complete my presentation?

8 CHAIRPERSON PEACE: I'm sorry, Boxing. My
9 monitor went off, so I thought you were done. I'm sorry.

10 MR. CHENG: Number eight.

11 And I will list the three options for the Board.

12 One, approve the Scope of Work and the CSUS as a
13 contractor for this study and adopt Resolution Number
14 2005-311.

15 Second option is approve the Scope of Work, with
16 specific modifications and approve CSUS as a contractor.

17 Three is take no action at this time and refer
18 the item back to staff.

19 --o0o--

20 MR. CHENG: This staff recommendation will
21 approve the Resolution.

22 --o0o--

23 MR. CHENG: This completes our presentation.
24 Ready for questions.

25 CHAIRPERSON PEACE: Thank you.

1 Mr. Leveille.

2 MR. LEVEILLE: Madam Chair and Committee members.
3 Welcome, Mr. Petersen. Terry Leveille here from TL &
4 Associates and the publisher of "California Tire Report."
5 And, Mr. Petersen, you'll probably be getting that in your
6 e-mail sooner or later.

7 Also I represent the California Tire Dealers
8 Association North and South, and I talked with both the
9 Executive Directors prior to this Committee meeting, and
10 they're -- as I say, their membership are the ones that
11 are kind of on the front lines of collecting the fee. And
12 one of my jobs up here is to watch the Board as they spend
13 that fee.

14 And we think that they're very strongly
15 supportive of this contract. There's a feeling that all
16 too often -- and this doesn't just go for California, but
17 other states as well. All too often those in
18 decisionmaking roles for spending tire fee funds
19 oftentimes may act upon information that may not be
20 complete, may be misleading, and may be inaccurate.

21 I think that this Board staff for the most part
22 over the years has done a really good job of trying to
23 ferret out the best way to figure out the generation of
24 tires and where those tires are either disposed in
25 landfills or diverted to recycling efforts.

1 But there's always been sort of a nagging
2 suspicion, and I think staff will agree to this, that the
3 information that we gleaned from the stakeholders and from
4 various agencies is not very accurate, or at least is at
5 best an estimate. And certainly we can see by the change
6 in the generation factor that's been changed three times
7 over the last 12, 15 years.

8 I wanted to estimate -- or I didn't want this
9 whole project to be underestimated. Because, as I say,
10 it's not only for you guys. It's also for stakeholders.
11 Stakeholders a lot of times make decisions on their
12 strategic business decisions as to where the programs are
13 going that you generate and where they see from the data
14 in the market analysis. Crumb rubber is going. Civil
15 engineering is going, and the like. And so it's really --
16 this will benefit two major factors here: The
17 governmental factor and the stakeholder factor.

18 So that's really all I wanted to say, I had on
19 specific issues. I look forward to actually working with
20 the contractors here. I think I can provide some
21 information for them and some context. And I just want to
22 heartily encourage the Committee and the Board to support
23 this. Thank you.

24 CHAIRPERSON PEACE: Thank you.

25 Next speaker, Mr. Blumenthal.

1 MR. BLUMENTHAL: Thank you, Madam Chair, Board
2 members. Mr. Petersen, welcome. My name is Michael
3 Blumenthal. I represent the Rubber Manufacturers
4 Association. We represent the seven U.S.-based tire
5 makers in the U.S.

6 We do support this concept. There's some detail
7 you may want to be made aware of. Number one, we are
8 currently working with the EPA Resource Conservation
9 Challenge Goals Group to devise -- we already have devised
10 a new questionnaire for getting information from all
11 states on the number of tires they generate, where they
12 go, which is not going to help us in California, because
13 this won't be done until the end of next year. And the
14 survey is going out the second week in December.

15 But some of the things that were raised in the
16 questionnaire you need to be aware of. Number one, the
17 tire manufacturers have done a biannual market survey ever
18 since 1990 on the state of the tires being generated, the
19 markets for them, issues like that. In the past, we've
20 always put the numbers in total units, number of tires,
21 single tire units. We have an equation of what the
22 breakout of these tires are for passenger, light-truck,
23 and heavy-truck cars.

24 In an agreement with the RCC Subcommittee on
25 goals, we have agreed to do our next survey in units and

1 weight. And I think that is a very important issue that
2 should not be lost here. So when you do design your
3 survey, whoever does it, I don't really care, is done in
4 both weight and units, because that's the way the market's
5 going.

6 EPA, per se, has not been involved in doing the
7 market survey. The way EPA has been getting their data
8 for their market reports is that they hire a contractor.
9 The contractor calls me, asks me for my data, and I give
10 him the last set of data I have. EPA, per se, has not
11 done any research often anything dealing with tires in
12 about 14 years. It's all industry data.

13 But we're moving to weight and unit, and
14 especially at the back end, at the market end. It's all
15 done in weight. Mostly done in weight. Some still do it
16 in units. Some do it in volume. Some do it percentage.
17 We're trying to convert everything to weight. So point of
18 reference here is that whatever you do, try to keep it in
19 a weight-based analysis at the back end.

20 We're also trying to come up with a new number
21 for the average weight per tire. As was mentioned, there
22 are all sizes of tires, all weights of tires, and there's
23 a tire for every vehicle out there. And the weight ranges
24 between 25 pounds to 10,000 pounds if there's a wide range
25 of tires. We're trying to come up with an average weight

1 for on-road tires, a DOT code tire. That takes out your
2 off-road tires, things like that, because that would skew
3 the average. And that also needs to be factored into it.
4 You can't capture all tires in there. Through the RCC, we
5 have agreed to focus only on DOT code tires. That's
6 anything that's on the road. And that also should be kept
7 in mind here, because anything beyond that will once again
8 skew your numbers upwards. And that's probably not what
9 you want to be doing.

10 The last issue I want to talk about is finding
11 out how long tires last. I think that is a real
12 interesting issue here. And you have to keep in mind a
13 couple of items. One of the current trends here in
14 California is that you bring in a lot of tires, a lot of
15 off-shore produced tires from Asia. And these are the
16 tires you get four for \$100. These are your bargain
17 tires. They also last about 20,000 miles. These are not
18 made by our manufacturers. But they certainly are more
19 commonplace on the west coast than they are on the east
20 coast because of the import.

21 So when you have tires wearing out sooner, you
22 have to keep in mind two things. One, how long are they
23 warranted for? 20,000 miles versus 60- or 80,000 miles.
24 And, secondly, an issue we've been talking about a long
25 time, and the Board has been looking into, is tire care

1 and maintenance. We've done a couple of studies in the
2 last couple of years.

3 And we recognize that 75 percent of all the tires
4 on the road today are ridden underinflated. That does
5 several things, none of which are any good. They wear
6 your tires out faster than they would normally. They
7 increase fuel consumption, which right now is probably not
8 what you want to be doing. And it makes the engine work
9 harder, so you have more emissions coming out of the
10 tailpipe.

11 So you may want to redouble your efforts on tire
12 care maintenance, getting the driving consumers to inflate
13 the tires. This is where inflation is actually good. And
14 that in and of itself will help to extend the life of the
15 tire for whatever it's warranted for. And we'd be glad
16 to work with whomever is hired, because by the time they
17 get cranked up, our market survey is going to be done. So
18 it won't be as specific as you folks want for California,
19 but the national averages, the industry numbers, and the
20 new weights and measures will be completed. So you can
21 probably expedite part of this package. And we stand
22 ready to cooperate. Thank you very much.

23 CHAIRPERSON PEACE: Thank you very much for your
24 comments.

25 Do you have any questions?

1 COMMITTEE MEMBER MULÉ: No questions, Madam
2 Chair.

3 I just want to concur with the comments that have
4 been made. I think this is money well spent by our Board
5 to determine not only the number of tires, but the types
6 of tires. And there's such a huge range in the types of
7 tires that are out there. And it will help us in our
8 market development efforts as we move forward with our
9 focus to expand markets for tires.

10 So without further ado, I would like -- sorry.
11 Go ahead.

12 BOARD MEMBER PETERSEN: Madam Chair, just one
13 question for staff.

14 When they put together the survey on the markets
15 side, are we going to be looking at the crumb rubber, the
16 carbon markets, all the different markets where the tires
17 go, the cement kilns? And will it include a market price?
18 So while we know how many tires are out there, we also
19 would know where the markets are, the prices, because I
20 think a lot of people who are in the private sector as
21 they pointed out earlier and the doctor's remarks, how do
22 they plan ahead or how industry can be involved and
23 expands the market for use of the tires here in the state
24 as a resource to making a product.

25 WASTE TIRE DIVISION SUPERVISOR DELMAGE: The

1 answer to the first part of the question is yes. We do
2 break it down by markets to a pretty large extent. We do
3 not track data on the costs of materials at this point in
4 time.

5 BOARD MEMBER PETERSEN: So I'm just talking about
6 market price. Like you deliver tires to the cement kilns
7 and they pay x. And then there's a fee the way the State
8 has. You go to a carbon manufacturer, and they'll pay you
9 x for the tires or might even charge you. That's the kind
10 of thing I was wondering if that's going to be included in
11 the survey.

12 WASTE TIRE DIVISION SUPERVISOR DELMAGE: At this
13 point, we do not include it. For instance, you know, the
14 market is very dynamic. The report that's about to come
15 out is 2004 data. While that makes sense to have good
16 information on where the tires are going market-wise and
17 what's being diverted, I'm not so sure it would be helpful
18 to bring up two-year old market data.

19 BOARD MEMBER PETERSEN: Okay.

20 COMMITTEE MEMBER MULÉ: And if I could just add
21 onto that, the primary purpose of this study is to focus
22 on tire generation. So it's --

23 BOARD MEMBER PETERSEN: There's going to be
24 another step here maybe to help out the industry. Okay.
25 Great.

1 COMMITTEE MEMBER MULÉ: Yes. I would like to
2 move Resolution 2005-311.

3 CHAIRPERSON PEACE: And I'll second that. So we
4 have a motion by Board Member Mulé and a second by Chair
5 Peace.

6 Call the roll.

7 SECRETARY HUNT: Mulé?

8 COMMITTEE MEMBER MULÉ: Aye.

9 SECRETARY HUNT: Peace?

10 CHAIRPERSON PEACE: Aye.

11 And because this is a fiscal item, we will move
12 that --

13 COMMITTEE MEMBER MULÉ: It's just Scope of Work.

14 DEPUTY DIRECTOR LEE: Approval of contractor
15 also.

16 CHAIRPERSON PEACE: We do need to move that to
17 the full Board with Committee support.

18 We want to thank Mr. Blumenthal and Mr. Leveille
19 for their comments and encourage Dr. Newman that if you
20 need any information, that Mr. Leveille and Mr. Blumenthal
21 are great resources.

22 DEPUTY DIRECTOR LEE: Okay. Next item. Thank
23 you, Madam Chair. Committee Item C, Board Item 4 is
24 Consideration of Applicant Eligibility, Program Criteria,
25 and Evaluation Process for the Waste Tire Enforcement

1 Grant Program for Fiscal Years 2005-06 and 2006-07.

2 At last month's Board meeting, staff made a
3 presentation on our Waste Tire Enforcement Program. We
4 discussed how the program is coordinated internally
5 through the close working relationship between the Tire
6 Program, our Legal Office, and our Administration
7 Division. We also discussed how our local jurisdiction
8 grantees are an integral part of the Board's Enforcement
9 Program, supplementing our limited staff resources and
10 literally acting as our field agents enforcing the laws
11 and regulations regarding tire hauling, manifesting, and
12 storage.

13 The item before you today is to implement Board
14 direction as received during the Five-Year tire planning
15 review and approval process and to confirm the \$6 million
16 funding allocation to support this program.

17 I will now ask Georgianne Turner to make the
18 remainder of the staff presentation.

19 (Thereupon an overhead presentation was
20 presented as follows.)

21 ENFORCEMENT & PERMITTING SECTION SUPERVISOR

22 TURNER: Good morning. And welcome, Mr. Petersen. My
23 name is Georgianne Turner, and I'm a Supervisor with the
24 Waste Tire Enforcement Section up north. And I will go
25 through this as quickly or longly in detail as you wish,

1 because I know you are pretty familiar with the program.

2 --o0o--

3 ENFORCEMENT & PERMITTING SECTION SUPERVISOR

4 TURNER: Jim talked about that main objectives of the
5 program, basically to allow our local governments to be
6 our eyes and ears out in the field doing preliminary
7 inspections and surveillance and firsthand enforcement.

8 --o0o--

9 ENFORCEMENT & PERMITTING SECTION SUPERVISOR

10 TURNER: And as Jim mentioned, we're here to seek approval
11 for -- as you know, last year we went through quite a
12 process to further develop the program since it was new.
13 And we wanted to build in some cost effectiveness into the
14 program. And it appears that that has worked pretty well
15 this last year. So we'd like to seek approval to continue
16 the current process for the next two fiscal years, keeping
17 in mind that we've made a commitment to the Board to do an
18 ongoing evaluation of the program. So even if we see that
19 next year we need to do changes, we'll be back in front of
20 you. Or, of course, if you request that, we'll be back in
21 front you to make those revisions to the program.

22 Just to give a brief overview, a few charts to
23 show the progress of the program, and to discuss
24 Ms. Peace's comment on the ability to do a two-year grant
25 cycle in an effort to make it as friendly as possible to

1 our grantees. And I'll discuss a little bit of what we
2 looked at.

3 --o0o--

4 ENFORCEMENT & PERMITTING SECTION SUPERVISOR

5 TURNER: So just to kind of remind everybody, this is a
6 non-competitive program. We look at the applicant's
7 eligibilities, and I'll review that briefly. The project
8 eligibility. And we evaluate the budget pretty intensely
9 for cost effectiveness. And I'll review some of those
10 items that we look at.

11 --o0o--

12 ENFORCEMENT & PERMITTING SECTION SUPERVISOR

13 TURNER: Just as a reminder, the agencies that can apply
14 for this grant are LEAs, code enforcement, and health
15 departments, like a CUPA Program would apply. And
16 previously we had a few other grantees that didn't fit
17 this mold. But they are existing grantees, so they're
18 grandfathered into the program.

19 And we ask that all new jurisdictions have over
20 50 sites in their area. This is a cost effectiveness
21 tool, and in most cases would not preclude somebody. It
22 has not precluded anybody else from coming into the
23 program.

24 Also we evaluate the eligibility of existing
25 grantees as they have to have satisfactory performance.

1 And that's something that we look at, and I'll go into the
2 brief things that we look into, and we make that
3 recommendation to the Board. And you make that final
4 decision.

5 An example of that was when San Francisco, we
6 didn't allow them in, because they hadn't done any work on
7 the program. And so we felt it was not beneficial for
8 them to use that \$300,000 they were asking for when they
9 weren't really committed to the program.

10 --o0o--

11 ENFORCEMENT & PERMITTING SECTION SUPERVISOR

12 TURNER: So some of the performance issues we look at are
13 basically, you know, are they doing the work? Are they
14 conducting the inspections and surveillance that is in
15 their project description? And are they doing this in a
16 manner that is consistent with the program goals that
17 we've set out? You know, are they working with us on
18 enforcement issues in a coordinated manner and coming to
19 our trainings? And we also do joint field inspections to
20 provide calibration to all the grantees so there's a
21 consistent enforcement approach out in the field. That's
22 another thing we look at.

23 --o0o--

24 ENFORCEMENT & PERMITTING SECTION SUPERVISOR

25 TURNER: The project eligibility, again, is just they have

1 to be doing inspections of generators, waste tire haulers,
2 waste tire facilities in their jurisdiction. And they
3 have to have a surveillance component to their program to
4 investigate complaints that might come from us as well as
5 conducting and investigating illegal waste tire disposal
6 activities in their area and conduct the first line of
7 enforcement.

8 --o0o--

9 ENFORCEMENT & PERMITTING SECTION SUPERVISOR

10 TURNER: As I mentioned, we look to make sure they meet
11 the applicant eligibility criteria that I just described
12 as well as they're proposing the correct project. But we
13 also take quite a bit of time in looking at their budget.
14 And there are certain requirements in the application that
15 help us keep a cost effective program, such as we allow up
16 to \$125 per hour that's a burdened cost and no more than
17 that. We have a four-hour limitation for an inspection,
18 to conduct an inspection, which is pretty generous. And
19 we limit the number of inspections to one and two
20 reinspections. And that's negotiable.

21 So if they're working on an enforcement case with
22 us, then we can provide them with written approval to do
23 further inspections. And we do that. And that seems to
24 work fine. What we're trying to set here is just when
25 they propose their budget that they're not going out to a

1 site this doesn't need inspection, you know, six or seven
2 times.

3 If we're oversubscribed, which hasn't happened
4 yet, and I don't anticipate it for the next few years, we
5 would look at the total population that's served by that
6 jurisdiction, the total number of sites in the
7 jurisdiction, and the need based on our assessment. So
8 based on our understanding of the tire illegal dumping
9 issues in that area and the illegal hauling that's
10 occurring in that area, we would make an assessment on
11 that as well as how they've used their funds in the past.
12 And ultimately, again, that's a Board decision. We would
13 just come to the Board for a recommendation.

14 --o0o--

15 ENFORCEMENT & PERMITTING SECTION SUPERVISOR

16 TURNER: This is just a graph showing the blue is our
17 increased number of grantees in the program. And the red
18 shows that we're continually increasing the population
19 that's served by the grants. This year we made 71 percent
20 of the populations being served, which I think is pretty
21 good. And it's actually increasing faster than the number
22 of grantees, which is good. That's what we want to see,
23 because then it's more cost effective.

24 --o0o--

25 ENFORCEMENT & PERMITTING SECTION SUPERVISOR

1 TURNER: I showed this slide last month. And this
2 basically just shows we've really increased our number of
3 inspections over the last few years. From fiscal year
4 2002-2003, we conducted about 2500 inspections. And the
5 last year, it was around 7500 inspections. So we're
6 covering almost half of the regulated community per year,
7 which I think is pretty good. And our Notice of
8 Violations have increased, which in our actual Cleanup and
9 Abatement Orders have decreased over the years. So we're
10 getting compliance at a lower level of enforcement, which
11 is excellent. That's what we want to see.

12 --o0o--

13 ENFORCEMENT & PERMITTING SECTION SUPERVISOR

14 TURNER: This is a little complicated chart, but what I
15 wanted to show here is the two lines. The top line is the
16 line that we awarded, the money that we awarded in each
17 fiscal year. The bottom line is the money that we
18 actually spent. And one of the things that I've mentioned
19 before is we want to close that gap. For each grantee, we
20 want them to propose a budget that's close to what they're
21 going to use so they can use that money in a reallocation
22 item towards other things and not have the money just go
23 back into the fund.

24 So I just wanted to show you guys where we're at.
25 Last year we used I think around 50 percent of the money

1 that we awarded. And I'm projecting this year we're going
2 to use close to 65 percent. And next year I project we'll
3 probably be around 70 percent of the money we awarded
4 we'll actually use.

5 COMMITTEE MEMBER MULÉ: Excuse me. Why is that?
6 Why is all the money not spent? Can you give me some
7 specific examples?

8 ENFORCEMENT & PERMITTING SECTION SUPERVISOR

9 TURNER: I think some jurisdictions that have been in the
10 program have gotten real good at knowing how much they're
11 going to spend. I think in some cases, we've had a few
12 jurisdictions that had trouble with staffing, staff
13 turnover, in which case -- like an example would be Napa.
14 They lost somebody, and it took them about three or four
15 months to get a new grantee up and going. And then
16 there's a training period. So there's that kind of thing
17 that does happen.

18 There's also I think for the grantees that we
19 really had a big jump in 2003-2004 of new grantees that
20 have never been in the program. So they were really
21 guessing at how much they would spend. You know, even
22 though they knew the number of facilities in their
23 jurisdiction, they found I think that it doesn't really
24 take as much money to go out and inspect these sites as we
25 originally thought, because we allow them four hours. So

1 that's basically \$500 per inspection. And, really, it's
2 not costing that much, which is good. That's fine.

3 DEPUTY DIRECTOR LEE: Ms. Mulé, one additional
4 comment on that particular point. You know, this slide
5 points out one of the underlying reasons why again staff
6 is really not supportive of multi-year funding or
7 guarantees for multi-year funding. We believe the
8 commitment we have now is for ongoing evaluation. And I
9 think consistent with that, again, is this yearly look at
10 the budgets. We need to continue to work with these
11 grantees to make sure that, number one, their requests are
12 in line, but that also they follow through. And I think
13 again ongoing evaluation is more consistent with the
14 single-year funding that's currently proposed by staff.

15 COMMITTEE MEMBER MULÉ: Thank you.

16 CHAIRPERSON PEACE: So when they find out they're
17 not using as much as they thought, they don't apply for
18 that much the next year; right?

19 ENFORCEMENT & PERMITTING SECTION SUPERVISOR
20 TURNER: Right. I think we're to the point now where
21 we've got two years' worth of data, so we can go back and
22 say, you know --

23 COMMITTEE MEMBER MULÉ: Better handle on what
24 their expenses are.

25 ENFORCEMENT & PERMITTING SECTION SUPERVISOR

1 TURNER: Right.

2 COMMITTEE MEMBER MULÉ: Thank you.

3 --o0o--

4 ENFORCEMENT & PERMITTING SECTION SUPERVISOR

5 TURNER: To go into a little bit of the two-year funding,
6 the goal has always been in this program to provide a
7 secure funding for the grantees. And so we've looked for
8 different ways of doing that. And like Jim said, there's
9 lots of reason why we like this yearly funding. So I
10 think we've tried to look at the balance of this.

11 We didn't have a lot of time to evaluate this.
12 But when we kind of talked to GAU and Program staff and
13 Legal, we realized if we're going to continue to want new
14 grantees to come into the program, we're going to have a
15 yearly award anyway. And so what we came up with is that
16 we really couldn't reduce our staff level or actually
17 increase if we tried to do a two-year award.

18 The other difficulty is trying to keep all the
19 grantees on the same program, meaning the P&R's and the
20 grant terms and conditions are all the same, so that we
21 can provide consistent training to them. And so that also
22 caused a little bit of a challenge. So we're not
23 proposing to do the two-year funding right now. And we
24 would like to keep it flexible, because we think that most
25 of the reasons for pursuing the longer-term funding have

1 been resolved, because the Board has been very committed
2 in their Five-Year Plan and very supportive with this
3 program.

4 And so we've had our first set of round tables
5 over the last -- this fall with all the grantees. And, of
6 course, there's always some discussion about funding. And
7 I think there's a greater level of security that the Board
8 is going to support this program and the money available
9 then there has been in the past.

10 And I think we have allowed them to do five-year
11 resolutions. We're actually one of the first programs
12 that allowed them to do that. So that has helped some
13 jurisdictions in their preparation of going before the
14 Board. That's not the case in all jurisdictions. It
15 depends on how the individual Boards are set up. I know
16 in the case of the City of San Diego, every time we award
17 them a grant, they have to go back and get approval to
18 spend those moneys.

19 So I think, you know, I'd like the ability to go
20 and understand a little bit more of what the issues are
21 and see if we can come up with some creative ways of
22 meeting Board staff's needs to continually evaluate the
23 program as well as the grantee's needs on this particular
24 issue.

25 We do have a streamline application process.

1 It's really pretty simple. And existing grantees can base
2 their inspection numbers on what they did last year. They
3 don't have to provide us with a list of sites. So it's
4 basically submitting a budget which they would have to do.
5 Even if we went to a two-year funding, they have to give
6 us a new budget anyway because we're funded with the \$6
7 million every year.

8 --o0o--

9 ENFORCEMENT & PERMITTING SECTION SUPERVISOR

10 TURNER: We already talked about this, closing the gap.

11 --o0o--

12 ENFORCEMENT & PERMITTING SECTION SUPERVISOR

13 TURNER: And this is just a summary of some of the
14 advantages we get from a yearly award, ongoing
15 evaluations. We get to adjust yearly. We get to consider
16 the performance review of the last year's performance.
17 And the Board gets to make a decision whether they want to
18 continue funding, you know, that particular grantee based
19 on their performance. And it keeps our administration and
20 our tracking and reporting pretty simplified.

21 --o0o--

22 ENFORCEMENT & PERMITTING SECTION SUPERVISOR

23 TURNER: I think that concludes my presentation. And I'm
24 happy to answer questions or entertain comments at this
25 time.

1 WASTE TIRE DIVISION SUPERVISOR DELMAGE: Madam
2 Chair, before we move to a vote, we inadvertently left out
3 a portion of a line. So I'd like to read into the record
4 on page 4-3 under "applicant eligibility," to replace that
5 sentence that's currently there with this sentence to
6 reflect that we do want to select jurisdictions that have
7 50 or more sites. So the sentence would be, "to be
8 eligible to apply for the Waste Tire Enforcement Grant,
9 the applicant must have 50 or more waste tire sites in
10 their jurisdiction and must be one of the following."

11 ENFORCEMENT & PERMITTING SECTION SUPERVISOR

12 TURNER: Thank you, Mitch.

13 CHAIRPERSON PEACE: Mr. Leveille would like to
14 speak again.

15 MR. LEVEILLE: Thank you, Madam Chair.

16 This will be a short couple quick comments. Once
17 again representing the Tire Dealers Associations, who are
18 the ones that are primarily the subject of various
19 inspections and the like, who also heartily endorse this
20 program, by the way. They think that the Board, the Board
21 staff, enforcement training of the locals has been pretty
22 good and occasionally there are little things that crop
23 up. But most of those are handled quickly by the state.
24 So the tire dealers for the most part strongly support it.

25 We also like the idea of the one-year grants.

1 Two-year grants, I mean, it just seems like -- we would
2 support staff recommendation on that. It's a little more
3 oversight. I can understand why stretching it out for
4 two years might give the locals maybe little more security
5 or something like that. But, you know, it's not that big
6 a deal. The program itself is very easy to apply for.
7 And staff goes out of their way to assist locals when
8 they're interested in it.

9 You know, the five-year resolution, I've always
10 sort of had a problem with the five-year resolutions for
11 locals, only because you've got change over in City
12 Council a lot of times after I'd say half a maximum of
13 three. And this is going to be in larger part to some of
14 my comments on the grant streamlining. For local
15 governments, I think maximum should be maybe three years,
16 because you do have the turnover of City Council, mayors,
17 and that type of thing every few years. And you want to
18 make sure that you are reflecting the desires of what new
19 City Council members or what new changed government might
20 take place.

21 Other than that, it's a good program, and we'd
22 certainly give it an A-OK.

23 CHAIRPERSON PEACE: Thank you.

24 In terms of what Mr. Leveille was saying about
25 the resolution, do they all have to be five years, or if a

1 City Council says, you know, we're only going to do this
2 for two or three, they can change it to two or three?

3 ENFORCEMENT & PERMITTING SECTION SUPERVISOR

4 TURNER: We are only required to have a one-year
5 resolution.

6 CHAIRPERSON PEACE: But if they can get one
7 that's longer, that's okay with us?

8 ENFORCEMENT & PERMITTING SECTION SUPERVISOR

9 TURNER: Right.

10 CHAIRPERSON PEACE: When do the NOFAs for out for
11 this program?

12 ENFORCEMENT & PERMITTING SECTION SUPERVISOR

13 TURNER: As soon as possible after the Board meeting.
14 We're going to try to get them out by the end of the
15 month.

16 CHAIRPERSON PEACE: When would they be due in?

17 ENFORCEMENT & PERMITTING SECTION SUPERVISOR

18 TURNER: It will be probably the end of January.

19 CHAIRPERSON PEACE: Because I'm still working on
20 Riverside and San Diego County.

21 ENFORCEMENT & PERMITTING SECTION SUPERVISOR

22 TURNER: Okay. All the help you can get.

23 COMMITTEE MEMBER MULÉ: Let me just share with
24 you an update on Riverside County, because I have talked
25 with Riverside County. I did speak with their Deputy

1 Director of Environmental Health, Damian Meins. And while
2 they're very interested in this program, it's difficult
3 for them once they receive the money to actually -- their
4 personnel hiring procedures are such it would be very
5 difficult for them to hire staff on the basis of not
6 knowing if they have the continuous funding. It's because
7 it is on an annual basis. So they cannot -- they can't
8 pursue it, because it's not continuous funding. So in
9 their minds, the way their policies are set up, is that
10 they can't hire additional personnel for a program and
11 then have that money not be there the following years in
12 subsequent years. So you can continue to work on San
13 Diego.

14 CHAIRPERSON PEACE: Yeah. Well, we just keep
15 hitting them everywhere we can. When they were here the
16 other day at the P&E Committee trying to get their permit,
17 I hit them outside. I said you know what --

18 ENFORCEMENT & PERMITTING SECTION SUPERVISOR
19 TURNER: That's a good time.

20 CHAIRPERSON PEACE: I hit them up good there.
21 And when I was at the Technology Forum giving a
22 speech last week, the City Planner -- the City's Waste
23 Planner for Riverside -- no, the county. The whole
24 county. I don't have her card. The whole county. And
25 the waste planner was there. And I happened to have gone

1 to high school with her. So I'm just kind of hitting
2 them. Between the two of us, maybe if we just keep
3 hitting them, maybe we can change their mind. Maybe not,
4 but it's worth a try.

5 COMMITTEE MEMBER MULÉ: Well, again our Deputy
6 Director of Environmental Health for Riverside County who
7 probably makes a lot of those decisions said it's just not
8 something they'd like to pursue. But, again, under their
9 current system, it would be difficult to do that.

10 But I will tell you also that Riverside County
11 has focused on this in part through their illegal dumping
12 task force. So they are, you know, working on this. They
13 do have code enforcement people that are out there. But,
14 again, to take this funding and hire additional personnel,
15 they just can't do it not knowing that they have this
16 funding on an ongoing basis.

17 DEPUTY DIRECTOR LEE: Ms. Mulé.

18 CHAIRPERSON PEACE: If they have somebody already
19 doing it, couldn't they still apply for the --

20 ENFORCEMENT & PERMITTING SECTION SUPERVISOR
21 TURNER: I think, you know, yeah. And I was just going to
22 bring that up. But I think in Riverside's case, they
23 really are short staffed.

24 COMMITTEE MEMBER MULÉ: Right.

25 ENFORCEMENT & PERMITTING SECTION SUPERVISOR

1 TURNER: So they can't think about bringing another
2 program on. That's how a lot of jurisdictions do it.
3 They add it onto the other LEA duties or what have you.
4 But in this case --

5 COMMITTEE MEMBER MULÉ: Their existing staff is
6 already -- their workload is already very full.

7 CHAIRPERSON PEACE: Just keep a bug in their ear
8 and keep at them.

9 And yesterday you had a Waste Tire Enforcement
10 grantee training session, didn't you?

11 ENFORCEMENT & PERMITTING SECTION SUPERVISOR

12 TURNER: Yes.

13 CHAIRPERSON PEACE: How did that go?

14 ENFORCEMENT & PERMITTING SECTION SUPERVISOR

15 TURNER: It was so full I couldn't find room in there.
16 The trainings are going really well. And the City of
17 Fresno is actually assisting us with that training. They
18 have really a special guy on board, George Valdes, who
19 does only illegal dumping surveillance and just very
20 impressive program. The City has really been committed to
21 illegal dumping issues, and he's got a lot of great
22 experience. He's got a law enforcement background.

23 So I think the grantees have really learned a
24 lot. And we've gotten a lot of positive feedback from the
25 training. I'm very happy.

1 CHAIRPERSON PEACE: Did you hear any comment,
2 concerns, or problems, or do they all think everything is
3 working out well?

4 ENFORCEMENT & PERMITTING SECTION SUPERVISOR

5 TURNER: You know, there wasn't really that kind of forum
6 as much as it was more of a learning how to put together a
7 surveillance program and more kind of absorbing that
8 information. There weren't very many questions about road
9 blocks at least that I'm aware of.

10 CHAIRPERSON PEACE: Probably if there were some
11 big problems they would have mentioned them to you. So if
12 you didn't hear I think --

13 ENFORCEMENT & PERMITTING SECTION SUPERVISOR

14 TURNER: I think one thing I hear consistently is that
15 locals have trouble getting their local law enforcement
16 committed to the program. And that's one thing -- you
17 know, we can say you need to have that partnership. But
18 until that partnership is developed -- and sometimes that
19 has to come down from a Board of Supervisors to really
20 make that commitment. And, anyway, that's the most common
21 problem I hear.

22 CHAIRPERSON PEACE: As far as you can tell, will
23 all of our existing grantees be reapplying?

24 ENFORCEMENT & PERMITTING SECTION SUPERVISOR

25 TURNER: There are a couple that may not. I know we've

1 had trouble getting the City and County of San Francisco
2 going again. So they have laid off like 150 people or
3 something. So they don't have anybody to do the program.
4 We've done some training with their Executive Director,
5 and she's out there doing inspections. So I don't know if
6 they'll come back next year.

7 And there are a couple cities that are kind of
8 small in the program that may not come back. But the big
9 hitters will be back, I think.

10 WASTE TIRE DIVISION SUPERVISOR DELMAGE: Madam
11 Chair, I'd like to go back for a minute to the training
12 that you referred to. It was well received. You know,
13 this is the second one. Everybody's just raved about it.
14 We videotaped the one that was done yesterday, so we'll be
15 able to get that out to those who weren't able to attend
16 the training.

17 DEPUTY DIRECTOR LEE: One final note, too, if I
18 may, Madam Chair. Kind of reflections on Ms. Mulé's
19 remarks about Riverside County's reasons for not applying
20 for the program. You know, I think George's comments are
21 very telling with regards to that situation. What we find
22 again is the reason most of these people don't apply is
23 it's not high on their municipal priority list or they
24 have staffing reasons, staffing problems over and above,
25 they don't have room to take care of our program as well.

1 And with the idea of the continuous funding, just
2 want to again just reemphasize that the Board has
3 unequivocally endorsed the idea of this level of funding
4 for the local jurisdictions. And that was something that
5 previous boards -- you know, although there was funding
6 provided in the Five-Year Plan, clearly there was not a
7 unanimous endorsement by all the Board members. And I
8 think that caused some of the consternation, you know,
9 from some of the local jurisdictions about the Board's
10 true commitment to this program in the long run.

11 The Board's action in October 2004, the
12 discussions in May 2005 with revised Five-Year Plan I
13 think allayed a lot of those concerns. So, again, we feel
14 for the evaluation reasons primarily, the one-year funding
15 makes sense with the commitment that the Board has
16 expressed and endorsed for continued funding of this
17 program.

18 CHAIRPERSON PEACE: Okay. Thank you. Any other
19 comments?

20 COMMITTEE MEMBER MULÉ: With that, I'd like to
21 move Resolution 2005-318.

22 CHAIRPERSON PEACE: Second. We have a motion by
23 Board Member Mulé and seconded by Chair Peace. And with
24 no objection, we'll substitute the previous roll call and
25 this we will place on consent.

1 CHIEF COUNSEL CARTER: Madam Chair, there is
2 reference in the Resolution to the two fiscal years, 05-06
3 and 06-07.

4 CHAIRPERSON PEACE: But is wasn't for the
5 funding. Just for the criteria.

6 DEPUTY DIRECTOR LEE: That is correct.

7 CHIEF COUNSEL CARTER: Thank you.

8 CHAIRPERSON PEACE: Is that okay?

9 CHIEF COUNSEL CARTER: Yes.

10 DEPUTY DIRECTOR LEE: Could you confirm the one
11 minor modification that Mitch read into the record, that
12 that is a part of your Resolution.

13 CHAIRPERSON PEACE: Yes. And as part of the
14 Resolution want to make sure under applicant eligibility
15 that it would say that the applicants must have 50 or more
16 waste tire sites in their jurisdiction.

17 DEPUTY DIRECTOR LEE: Thank you, Madam Chair.

18 CHAIRPERSON PEACE: Any other comments?

19 With that, this meeting is adjourned.

20 (Thereupon the California Integrated Waste
21 Management Board, Special Waste Committee
22 adjourned at 10:43 a.m.)

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1 CERTIFICATE OF REPORTER

2 I, TIFFANY C. KRAFT, a Certified Shorthand
3 Reporter of the State of California, and Registered
4 Professional Reporter, do hereby certify:

5 That I am a disinterested person herein; that the
6 foregoing hearing was reported in shorthand by me,
7 Tiffany C. Kraft, a Certified Shorthand Reporter of the
8 State of California, and thereafter transcribed into
9 typewriting.

10 I further certify that I am not of counsel or
11 attorney for any of the parties to said hearing nor in any
12 way interested in the outcome of said hearing.

13 IN WITNESS WHEREOF, I have hereunto set my hand
14 this 21st day November, 2005.

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